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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,004	09/27/2001	Susann Marie Keohane	AUS920010878US1	2732

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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/965,004	Applicant(s) KEOHANE ET AL.	
	Examiner BORIS PESIN	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 10/21/2008.

Claims 1-20 are pending in this application. Claims 1, 6, 11 and 16 are independent claims. In the amendment filed 10/21/2008, Claims 1-20 were amended. This action is made Non-Final.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/21/2008 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for lacking any description of particular structure in the specification.

The Appellant has failed to disclose any algorithm, and thus has failed to adequately describe sufficient structure in the specification, for performing the recited "means for" functions of claim 11.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required.

Claim 6 recites "computer readable medium" however there is no definition of "computer readable medium" in the specification. The Examiner advises the Applicant to amend the claim to recite, "data storage medium," which is defined in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6, 11, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Tange (US 6707468).

In regards to claim 1, Tange teaches a method for a Web browser to display a home page upon activation comprising:

determining whether there is indicated in the browser a default home page to display upon activation in response to determining that there is indicated in the browser

a default home page to display upon activation (See Figure 2 which shows a plurality of homepages), determining whether there is also indicated in the browser an alternate home page to display, the alternate home page being configured to be displayed instead of the default home page based on at least one predetermined condition (See Figure 2, Element 34 which shows a plurality of homepages that are activated when the link is selected);

displaying the alternate home page in response to determining that the at least one predetermined condition is satisfied when there is also indicated in the browser an alternate home page to display; (See Figure 2, Element 34 which shows a plurality of homepages that are activated when the link is selected by the user, the predetermined condition being the user selecting the page);

and displaying the default home page in response to determining that the at least one predetermined condition is not satisfied when there is also indicated in the browser an alternate home page to display (See Figure 2, Element 34 which shows a plurality of homepages that are activated when the link is selected by the user, the predetermined condition being the user selecting the page, if the user does not select a different page then the original page is still displayed).

Claims 6, 11, and 16 are in the same context as claim 1; therefore they are rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2174

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7, 8, 12, 13, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange (US 6707468) in view of University of Maryland's Web Page.

In regards to claim 2, Tange teaches all the limitations of claim 1. He does not teach a method wherein at least one predetermined condition includes time and day indicated in a scheduler that the alternate home page is to be displayed instated of the default home page. The University of Maryland's teaches at least one predetermined condition includes time and day indicated in a scheduler that the alternate home page is to be displayed instated of the default home page (See Figure 1, Element 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tange with the teachings of the University of Maryland's Web Page and include a scheduler of when it is possible to access the web page with the motivation to limit access to the web page and provide for better maintenance and upkeep of the database.

In regards to claim 3, Tinge and University of Maryland teach all the limitations of claim 2. Tinge further teaches the method of Claim 2 wherein the default home page is displayed in response to determining that there is not also indicated in the browser an alternate home page to display (See Figure 2, Element 34, if only one web page is present then one it can be displayed).

Claims 7, 12, and 17 are in the same context as claim 2; therefore they are rejected under similar rationale.

Claims 8, 13, and 18 are in the same context as claim 3; therefore they are rejected under similar rationale.

Claims 4, 5, 9, 10, 14, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange (US 6707468) in view of Gifford (US 6052718).

In regards to claim 4, Tange teaches all the limitations of claim 1. He does not teach the method of Claim 1 wherein said at least one predetermined condition includes displaying the home page of when a computer system hosting the default home page is on a common network with a computer system displaying the default home page. Gifford teaches, "A net mask (sometimes called a subnet mask) specifies which portions of an IP address contain network and subnetwork identifiers and thus should be matched to a second IP address to determine whether the two addresses are on the same network." Column 4, Line 50. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tange with the teachings of Gifford and include a method of determining whether or not the two IP addresses are on the same network with the motivation to provide for a more secure environment.

In regards to claim 5, Tange and Gifford teach all the limitations of claim 4. Tange does not teach the method of Claim 4 wherein the computer system hosting the default home page and the computer system displaying the default home are determined to be on a common network by comparing Internet protocol (IP) address of the computer system hosting the default home page with the IP address of the

computer system displaying the default home page. Gifford teaches, "A net mask (sometimes called a subnet mask) specifies which portions of an IP address contain network and subnetwork identifiers and thus should be matched to a second IP address to determine whether the two addresses are on the same network." Column 4, Line 50. Gifford further teaches, "In this way the operator of a server can ensure that the server serves its intended audience, for example by adding intranet network numbers that cannot be seen from outside the intranet's firewall." Column 6, Line 32). The firewall is able to block access from the outside to the intranet sites.

Claims 9, 14, and 19 are in the same context as claim 4; therefore they are rejected under similar rationale.

Claims 10, 15, and 20 are in the same context as claim 5; therefore they are rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donker et al. (US 7219162)

Teaches providing an alternate page if the first page is not available.

Aldred et al. (US 6209036)

Teaches providing a fallback URL if the first URL is not available.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

***/Boris Pesin/
Examiner, Art Unit 2174***